

No. 43586-1-II

IN THE COURT OF APPEALS
OF THE STATE OF WASHINGTON
DIVISION II

JOHN B. DILLINGER,

Appellant,

vs.

RICHARD M. DIXSON and JANE DOE DIXSON, and the marital community
properties comprised thereof,

Respondents.

[CORRECTED] BRIEF OF RESPONDENTS DIXSON

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I. RESTATEMENT OF ISSUES ON APPEAL

Consider the following conditions:

- It's dark and raining.
- An intoxicated (almost 4x the legal limit) pedestrian;
- Wearing dark clothing;
- Steps off a lit sidewalk and jay-walks eastbound across a 5-lane unlit highway.
- A crosswalk is available but goes unused at the intersection down the block from the scene.
- The only known witness testifies that:
 - She saw the pedestrian step off the sidewalk to her left as she passed driving northbound; and likely would have hit him if he had been in her lane; and
 - As she passed, she realized that oncoming southbound drivers who had just started driving after their traffic light had turned green - would not see the jay-walker -- and he would likely be hit.
- A newly oncoming southbound driver was driving well within the speed limit; and
- That oncoming driver was unable to see the pedestrian; who had left the lit sidewalk and was now in the middle of the unlit highway.

Under these circumstances, did the trial court correctly determine that no reasonable trier of fact could find that the driver was negligent; thus granting summary judgment in favor of the driver?

II. RESTATEMENT OF THE CASE

It was the early evening of December 17, 2009. John B. Dillinger ("Dillinger") was intoxicated again. Rather than walking to the nearest crosswalk, he jay-walked directly onto and across Highway (SR) 305; a

major 5-lane arterial that runs through Poulsbo.¹ Below is a Google Map satellite photo of the general location of this incident. Dillinger was walking left-to-right (eastbound) across SR 305 – well south of the NE Hostmark St. crosswalk.²



¹ CP 2; CP 22-23 [Incident/Investigation Report]

² CP 2; CP 15 at ¶5

Here are the individuals with knowledge regarding this incident.

A. **Rich Dixon (Defendant/Respondent)**

Mr. Dixon had been driving his VW Jetta in the inside lane of southbound SR 305. He had been stopped at the traffic light on the north side of NE Hostmark St., and started again when the light turned green. Dixon never saw Dillinger prior to the impact. It was dark and raining. He estimates his speed at somewhere in the 15-25 mph range when he heard the sound of hitting something. Dixon pulled into the middle (turn) lane; stopped his car; and looked in his mirror. He saw an object in the roadway, and didn't even initially realize it was a person. But Dixon exited his car, saw it was a person, and ran back to render aid and call 911.³

B. **Officer Ricki Sabado (Investigating Officer)**

Officer Ricki Sabado is a 27½ year veteran of the Poulsbo Police Department, and was the first officer on the scene. He took investigative control, having arrived within a couple of minutes of the accident. Officer Sabado confirmed that it was dark and raining. He explained that there are no lights near the center of SR 305 where Dixon was driving. In fact, he testified that as for “*the lighting situation smack in the center* [of the

³ CP 3; CP 20-21 [Dep. Dixon @ 11:1-9; 12:8-13; 12:21-24; 13:5-20; 14:23-25]; CP 22-23 [Incident/Invest. Rpt]

roadway], *there is none.*”⁴ The lighting and weather conditions at the scene were memorialized by photos taken by the police at the scene.⁵

Officer Sabado was primarily concerned with the medical condition of Dillinger; whom Sabado actually recognized from past contact. Although he didn’t make a specific assessment of Dillinger’s sobriety while Dillinger was lying on the roadway, the officer suspected Dillinger had been drinking. Two reasons for that opinion were provided. First, Sabado combed through Dillinger’s backpack and found a number of empty mini whiskey bottles. And second, Officer Sabado had numerous prior contacts with Dillinger – and in each, Dillinger was intoxicated.⁶

In this case, Officer Sabado’s suspicions were correct. The medics who evaluated Dillinger at the scene and enroute to Harrison Memorial Hospital made the same assessment.⁷ And that assessment was confirmed

⁴ CP 16-19 [Dep. Sabado @ 6:16-18; 7:4-8; 14:7-23; 23:24-24:6]

⁵ CP 22-23 [Incident/Inves Rpt] *See also* CP 14 at ¶3; CP 29 at 19:9-17; and CP 33

⁶ Office Sabado recalled having to wake Dillinger out of the bushes on the side of the road. He actually first met him when Dillinger was passed out in the brush on top of Lincoln at Ridgewood. On one occasion, Dillinger was lying down on the sidewalk. In another incident, Sabado found Dillinger urinating downtown on Front Street. Sabado also testified that on several prior occasions, he had seen Dillinger leave Los Cabos Restaurant, walking across Hwy 305 to the Poulsbo Inn. At those times, Dillinger had to be physically helped across the roadway. He would usually be escorted by staff from the restaurant. CP 17-18 [Sabado dep. at 18:20 – 20:6]; CP 22-23 [Incident/Invest. Rpt]

⁷ CP 24 [Kitsap County Fire District 18 Rpt] (“*Pt. is unable to respond to how many drinks he’s consumed or other recent history, states he was walking home from drinking ‘at the water.’*” “*Odor of intoxicants noted on his breath.*”)

at Harrison Memorial -- where Dillinger's blood alcohol level was determined to be 294 mg/dL -- 3.7x the legal limit for operating a motor vehicle.⁸

Officer Sabado also interviewed Dixon and Sharol Bohl (an independent witness), and examined the scene. He did not cite Dixon -- believing that there was nothing Dixon could do to avoid this accident. But when asked under oath what contributing factors led to the accident, Officer Sabado was fairly direct:

A. Other than, Mr. Dillinger, you know, being in the middle of a dark highway on a rainy night and obviously Mr. Dixon not seeing him, Mr. Dillinger had an opportunity to go to a crosswalk and cross at a light safely and he chose not to do that."

Q. And Mr. Dillinger was crossing where there was no crosswalk and there was no light?

*A. Right.*⁹

A crosswalk was available at a very close, main intersection just north of the scene (at NE Hostmark). Yet, Dillinger either purposely eschewed the legal walkway, or perhaps, was too intoxicated to make a purposeful decision to avoid using it.

⁸ CP 25-26 [Harrison Medical Center ED Records] ("The patient is a 70-year-old male who was apparently intoxicated this evening" Blood Alcohol level 294 mg/dL) (normal is <10 mg/dL).

⁹ CP 18-19 [Dep. Sabado @ 14:11-23; 15:1-3]; CP 22-23

C. John Dillinger (Plaintiff)

Conceivably the best possible witness to this unfortunate incident would be Dillinger himself. But in both his interrogatory responses and deposition testimony, and no doubt due to his blood alcohol (ETOH) level at the scene, Dillinger acknowledged that he has no memory of the incident. He testified that he remembers nothing about the accident. He can't remember where he was prior to the accident. He can't remember what happened after the accident. His first memory post-accident is waking up in a hospital.¹⁰

D. Sharol Bohl (Witness)

Sharol Bohl was northbound on SR 305. She is the only known witness to this incident. Her testimony regarding her observations include the following relevant points:

- It was dark.¹¹
- It was (or had been) raining.¹²
- Dillinger was dressed in dark clothing.¹³
- Dillinger was initially standing on the sidewalk next to the

southbound lanes of SR 305.¹⁴

¹⁰ CP 15 [Declaration of Richard S. Lowell at §8]

¹¹ CP 27 [Bohl dep. at 11:21]; CP 31 at ¶3

¹² CP 27 [Bohl dep. at 12:22-13:1]; CP 31 at ¶3

¹³ CP 27 [Bohl dep. at 11:25]; CP 31 at ¶4

¹⁴ CP 27 [Bohl dep. at 13:11]

- Bohl was approaching the area in the northbound lanes.¹⁵
- While he was on the sidewalk, Dillinger was near and underneath street lights that illuminate the sidewalk area.¹⁶
- As she got closer to Dillinger, Bohl saw him step into the street – just as she was passing him.¹⁷
- Bohl expressed relief by admitting that “*fortunately for me, he was not in my lane or I may have struck him myself.*”¹⁸
- Thankful that she hadn’t struck Dillinger, Bohl looked up ahead and realized the traffic light at NE Hostmark St. had just changed from red to green; meaning that – momentarily - southbound cars would be coming in the opposite direction – heading directly toward Dillinger.¹⁹
- Bohl realized:

*“I knew that because of the rain, the glare, and the darkness, southbound drivers were not going to be able to see the pedestrian walking in the middle of the highway. I thought to myself, ‘Oh my God. He’s going to get hit!’”*²⁰
- Bohl’s last sighting of Dillinger was as he stepped into the street and began slowly walking across the highway.²¹
- As she neared the traffic light at the intersection of SR 305 and NE Hostmark St., Bohl heard a noise and realized that her fear and

¹⁵ CP 27 [Bohl dep. at 32:6-8]; CP 31 at ¶4

¹⁶ CP 27-28 [Bohl dep. at 25:14 – 26:4]

¹⁷ CP 28 [Bohl dep. at 31:16-20]

¹⁸ CP 31 at ¶4

¹⁹ CP 32 at ¶5; *See also*, CP 28 [Bohl dep. at 11:21-12:2]

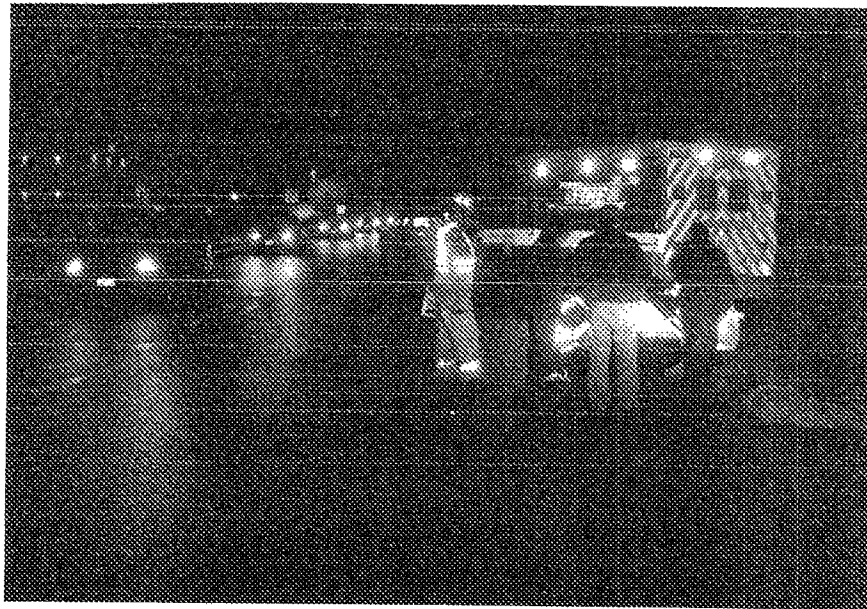
²⁰ CP 32 at ¶5; *See also*, CP 28 [Bohl dep. at 32:19-23]

²¹ CP 28-29 [Bohl dep. at 33:2-7; 33:12-16]

expectation had come to pass. In her rearview mirror, she saw something on the ground, and recognized that Dillinger had, indeed, been struck.²²

- Bohl turned left onto NE Hostmark St., made a U-Turn, and drove back to the scene to render assistance.²³

- Below is a photo of the scene shortly after police and an aid crew arrived. According to Bohl, this photo is an accurate representation of the conditions at the time of the accident.²⁴



As Ms. Bohl explained in her deposition:²⁵

A. All I can say is that I -- my first thought was that they wouldn't be able to see him coming.

Q. And by they, you're referring to --

A. The car -- oncoming traffic.

²² CP 28-29 [Bohl dep. at 33:2-11]

²³ CP 29 [Bohl dep. at 12:8-13]

²⁴ CP 29 [Bohl dep. at 19:9-17]; and CP 33

²⁵ CP 29-30, emphasis added [Bohl dep. at 26:16-27:9]

- Q. Mr. Dixon, essentially, the man who ended up hitting him?*
A. Yeah. Well, I don't know who, but it was the cars coming on, and I saw that there was traffic and him walking slow. My first thought was he's not going to cross the street or the road fast enough with the oncoming traffic.
Q. And that the oncoming traffic weren't going to be able to see him?
A. Correct. There was a lot of glare and --
Q. And it was dark?
A. It's dark.
Q. And he was dressed in dark clothes?
A. It was brown, if I'm not mistaken, but very dark and very slow walking.

So in summary, in the dark and rain, wearing dark clothes, an intoxicated Dillinger jay-walked across SR 305; and was ultimately hit by a southbound car in the middle of the highway. The only witness has testified that she was sure that southbound drivers would be unable to see Dillinger; and that he would likely be hit. And the witness was correct.²⁶

Additionally, there is no evidence to suggest that Dixon could have avoided the accident -- or that his driving fell below any recognized standard of care.

III. STANDARDS OF REVIEW

A. Basic Summary Judgment Law

The Court of Appeals reviews grants of summary judgment orders *de novo*.²⁷

²⁶ CP 32 at ¶5

²⁷ Neighborhood Alliance of Spokane County v. County of Spokane, 172 Wn.2d 702, 715, 261 P.3d 119 (2011).

That being said, it is well settled that:

*[i]n a summary judgment motion, the moving party bears the initial burden of showing the absence of an issue of material fact. *** If the moving party is a defendant and meets this initial showing, then the inquiry shifts to the party with the burden of proof at trial, the plaintiff. If, at this point, the plaintiff fails to make a showing sufficient to establish the existence of an element essential to that party's case, and upon which that party will bear the burden of proof at trial, then the trial court should grant the motion. ****²⁸

When considering such evidence, the Court must apply the same evidentiary burden as will exist at trial.²⁹ Mere speculation, conclusory allegations, argumentative assertions or affidavits taken only at face value do not suffice; nor will self-serving affidavits which merely contradict the defendant's allegations.³⁰

Summary Judgment should be granted when there are no genuine issues of material fact and the moving party is entitled to judgment as a matter of law.³¹ A material fact is one that affects the outcome of the litigation.³² Facts and inferences must be viewed in the light most favorable to the nonmoving party.³³

²⁸ Young v. Key Pharmaceuticals, Inc., 112 Wash.2d 216, 225, 770 P.2d 182 (1989) (internal cites omitted).

²⁹ Gossett v. State Farm Ins., 133 Wn.2d 954, 973, 948 P.2d 1264 (1997).

³⁰ Yacova Co. v. Farrell, 62 Wn.App. 386, 395, 814 P.2d 255 (1991).

³¹ CR 56(c).

³² Ruff v. County of King, 125 Wash.2d 697, 703, 887 P.2d 886 (1995).

³³ Jones v. Allstate Ins. Co., 146 Wash.2d 291, 300, 45 P.3d 1068 (2002).

However, a fact question is not created by pointing out a mere difference in possible factual outcomes. That is because summary judgment is appropriate if reasonable persons could reach only one conclusion.³⁴ A mere scintilla of evidence is not sufficient to overcome summary judgment.³⁵ With an intoxicated individual, wearing dark clothing, jaywalking across an unlit highway on a rainy night; the facts, here, present just such a circumstance.

B. Right-of-Way Statutory Guidelines.

Because Dillinger was jaywalking – and not within either a marked or unmarked crosswalk - RCW §46.61.240(1) provides that Dixon had the statutory right-of-way.

Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

Additionally, since there was an available marked crosswalk just down the block from where Dillinger jaywalked, RCW §46.61.240(4) prescribes an even more stringent duty - mandating Dillinger avoid stepping into the street where he did.

Between adjacent intersections at which traffic-control

³⁴ Venwest Yachts, Inc. v. Schweickert, 142 Wn.App. 886, 893, 176 P.3d 577 (2008).

³⁵ Shellenberger v. Zeman, 48 Wn.2d 885, 890, 297 P.2d 247, 249 (1956).

signals are in operation pedestrians shall not cross at any place except in a marked crosswalk.

V. LEGAL ARGUMENT

A. **Summary Judgment was appropriate in this case because considering the evidence in the record in a light most favorable to Mr. Dillinger, reasonable minds could not differ in determining that Mr. Dixon was not negligent in failing to see Dillinger prior to hitting Dillinger with his car.**

1. It was raining at the time of the accident.

Dillinger's claim that it was not raining at the time of the accident is unsupported by the record. Dillinger suggests that Ms. Bohl was absolutely sure that it was not raining, but her deposition testimony and declaration reflect the contrary. At her deposition, when asked if it had been raining at the time Dillinger was hit, Bohl replied "*I don't recall it raining, but I remember it – the roads being shiny, so I don't remember if it was raining or not at that time.*"³⁶

After being reminded of her previously signed declaration (which stated that it had been raining at the time of the accident),³⁷ Bohl explained

*"...I know that there was glare. I don't recall it pouring rain or if it was drizzling...there's a lot of questions about the rain, but I do remember the glare on the road...."*³⁸

³⁶ CP 27 [Bohl's dep. at 12:22-13:1]

³⁷ CP 31 at ¶3

³⁸ CP 142 [Bohl's dep. at 18:15-21]

Dillinger also ignores the deposition testimony of the investigating police officer, Ricki Sabado. Mr. Sabado testified that it had been a “rainy night.”³⁹

The ‘rain’ issue has to do with the glare. Whether it was actually raining or not as Dillinger stepped into the roadway is immaterial. There is no doubt it had been raining and the roads were wet. Bohl repeatedly testified that the glare was the concerning factor that impacted visibility.

Both the witness, Ms. Bohl, and the investigating police officer, Mr. Sabado, at one time or another stated that it had been raining. The photos taken shortly after the accident bear this out. Therefore, this is not a genuine issue of material fact.

2. No reasonable juror could find that Mr. Dixon was negligent. Mr. Dillinger had departed the illuminated sidewalk and was standing in the middle of a pitch black street.

Dillinger’s primary argument (here and below) appears to be simply this: that since a northbound Ms. Bohl was able to see Dillinger from 100 yards away, a southbound Mr. Dixon should have been able to see Dillinger from his vantage point, on the far side of the NE Hostmark intersection. Dillinger’s argument fails for the following separate reasons:

³⁹ CP 17 [Sabado dep. at 14:19-20]

- i. *Dillinger was on the sidewalk when seen by Bohl.*

Bohl has testified that at the time she saw Dillinger, he was standing on the sidewalk nearby an overhead light that illuminated Dillinger. At the same time, Dillinger was, also, back-lit by some commercial establishments.

As she drove closer to Dillinger, and was about to pass him, she saw him step off the sidewalk and into the street. That was the last she saw him until he was hit by on-coming traffic.

- ii. *Dillinger was in the center of the highway when Dixson approached.*

While Dillinger was on the sidewalk, Dixson was over a block away, on the far side of the intersection, waiting for his traffic light to turn green. By the time Dixson's light had turned green, Ms. Bohl had already passed Dillinger; Dillinger had already began jay-walking across the highway; and Bohl had commented to herself that on-coming traffic would not be able to see Dillinger. Of course, she was correct.

As Dixson approached the scene of the eventual accident, Dillinger was no longer illuminated by overhead lights; nor was he back-lit by commercial establishments. From the perspective of on-coming highway traffic, he was invisible.

commercial establishments. From the perspective of on-coming highway traffic, he was invisible.

- b. Dillinger has the burden of proving that Dixon was negligent in not seeing him jay-walk across the dark street.

Under RCW §46.61.235(1), a pedestrian crossing in a legal crosswalk has the right-of-way and all cars must stop for them. RCW §46.61.240(4) makes it unlawful for any pedestrian to cross at any place except marked crosswalks and RCW §46.61.240(1) forces pedestrians, not at cross-walks, to yield to all passing vehicles. Dixon does not suggest that when a driver has the right-of-way, all caution can be thrown to the wind. Rather, Dixon is arguing that when a driver has the right-of-way, the burden is on the pedestrian to show that the driver was negligent.

Dillinger correctly argues that under RCW §46.61.245, all drivers must exercise due care to avoid colliding with any pedestrian on the roadway. In this situation, Dixon did just that. He stopped at the red light and proceeded under the speed limit after the light turned green until the point of impact with Dillinger. Even Ms. Bohl – the only witness - has acknowledged that had she been driving in Dixon's direction, she would have been unable to see Dillinger; and that if Dillinger had been in her lane, she would have struck him.

Dillinger asks this Court to read RCW §46.61.245 as a strict liability statute – at least for summary judgment purposes. He suggests that just because he was struck in the roadway, a jury should ultimately decide the driver’s fate and decide whether the driver with the ‘right of way’ has responsibility. But in doing so, Dillinger asks the court to ignore the phrase “*exercise due care to*” in the statute. In practice, Dillinger is asking the court to extract those four words from the statute and read it as:

“... every driver of a vehicle shall [] avoid colliding with any pedestrian upon any roadway”

This is not a strict liability statute. The ‘exercise of due care’ is part and parcel of the statutory requirement. It is Dillinger’s burden to establish a lack of due care on Dixon’s part. He has failed to offer any such proof.

Consider an alternative fact pattern. What if Dillinger had been legally crossing the highway within the marked NE Hostmark crosswalk. Then, let’s assume Dixon hadn’t seen him – but merely ran into him while Dillinger was in the crosswalk? Under that scenario, Dillinger would have the benefit of a statutory right-of-way;⁴⁰ and undoubtedly, the Court

⁴⁰ RCW §46.61.235(1); “*The operator of an approaching vehicle shall stop and remain stopped to allow a pedestrian or bicycle to cross the roadway within an unmarked or marked crosswalk when the pedestrian or bicycle is upon or within one lane of the half of the roadway upon which the vehicle is traveling or onto which it is turning.*”

would have granted summary judgment in favor of Dillinger and against Dixon.

With the ‘shoe on the other foot,’ Dixon is entitled to the same benefit of the doubt; the same statutory right-of-way that would have been afforded to Dillinger in the alternative fact pattern. Under the present – real and unrefuted – facts, the burden is shifted to Dillinger – who can offer nothing but mere speculation to suggest that Dixon’s conduct was negligent.

There is no substantial evidence to suggest that Dixon, or anyone who would have been driving at his location and time, could or should have seen Dillinger jay-walking across the highway.

B. Dillinger has the burden of proving proximate cause -- that even if Dixon was negligent for failing to see Dillinger, Dixon could have stopped in time to avoid the accident.

It is axiomatic that Dillinger must not only establish a breach of a standard of care, he must also prove that any such breach was a proximate cause of the accident. ⁴¹

To establish negligence, Dillinger must also proffer evidence that even if, somehow, Dixon should have seen Dillinger, he would have seen

⁴¹ Moore v. Hagge, 158 Wn.App. 137, 147-48, 241 P.3d 787 (2010).

him in time to avoid the collision.

*"To impose liability, it is not enough that the driver saw [Dillinger]; he must have been able to appreciate the danger in time to have avoided the injury, in the exercise of reasonable prevision."*⁴²

Simply put, if, due to the conditions, Dixon could not have stopped in time even if he had seen Dillinger, then Dixon cannot be negligent.

Dillinger has offered no evidence, no facts, and no reasonable inferences to establish this proximate cause leg of required proof. Thus, for this separate reason, the trial court's ruling was correct.

V. CONCLUSION

Mr. Dillinger illegally jaywalked across a five-lane highway. The only lights illuminated the sidewalk from whence Dillinger stepped into the road (and not mid-highway where he was clipped). It was dark and rainy, and Dillinger was wearing dark clothing. The only witness has testified that if she had been in that situation, she would have hit Dillinger due to the lack of light and the glare on the road. Mr. Dixon was exercising reasonable care at the time of the incident because as Ms. Bohl agreed, any driver in Dixon's position would not be able to see Dillinger.

⁴² Shellenberger v. Zeman, 48 Wn.2d 885, 889, 297 P.2d 247, 249 (1956). *See also*, Moore, supra., *citing* Miller v. Likins, 109 Wn.App. 140, 34 P.3d 835 (2001), *citing* Ruff v. County of King, 125 Wn.2d 697, 887 P.2d 886 (1995).

Due to his intoxicated condition, Dillinger cannot recall the accident. Instead, he asks the court to rely on speculation and conjecture to save him from summary judgment. Yet, there can be no question that Dixson was entitled to an unfettered right-of-way. And there is unrefuted evidence regarding the conditions. There is unrefuted evidence establishing that Dillinger illegally jay-walked. There is unrefuted evidence from the only witness that there was nothing Dixson could do to avoid this unfortunate incident.

Dillinger's only purported evidence of his visibility is from a witness who saw him from a completely different direction and location, while Dillinger was standing on a sidewalk near an overhead light, well before Dixson arrived. Later, after Dillinger had jay-walked into the dark roadway and away from all lighting, that very same witness unequivocally recognized the conditions had changed. Dillinger wants the Court to rely upon Bohl's initial observation, and then ignore her subsequent one:

... that because of the rain, the glare, and the darkness, southbound drivers were not going to be able to see the pedestrian walking in the middle of the highway. I thought to myself, 'Oh my God. He's going to get hit!'"

You can't eat just one side of a piece of toast. When you bite into the bread, necessarily, you have to eat both sides.


There is no evidence that Mr. Dixon should have seen Dillinger in the center of the dark highway – hence, no evidence that he failed to ‘exercise due care.’ In order to recover, Dillinger must show by substantial evidence that Mr. Dixon was negligent. A mere scintilla of evidence is not sufficient to overcome summary judgment. The Trial Court recognized this, and correctly ruled that no reasonable trier-of-fact could find that Dixon bore any legal responsibility for the accident.

Respondent Richard M. Dixon respectfully requests that the Court affirm the trial court ruling granting Summary Judgment.

Dated this 12 day of October, 2012.

Respectfully submitted,

MAGNUSON LOWELL, P.S.

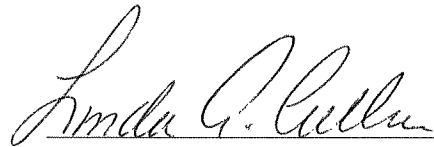


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CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that on the 12th day of October 2012, I caused to be served a true and correct copy of the foregoing via U.S. mail, postage prepaid and addressed to the following:

Chalmers C. Johnson ,Esq.
J. Michael Koch & Associates, P.S., Inc.
2819 NW Kitsap Place
P.O. Box 368
Silverdale, WA 98383

A handwritten signature in cursive script, reading "Linda G. Cullen", written over a horizontal line.

MAGNUSON LOWELL, P.S.

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- ☐ Statement of Arrangements
- ☐ Motion: _____
- ☐ Answer/Reply to Motion: _____
- ☒ Brief: Respondents'
- ☐ Statement of Additional Authorities
- ☐ Cost Bill
- ☐ Objection to Cost Bill
- ☐ Affidavit
- ☐ Letter
- ☐ Copy of Verbatim Report of Proceedings - No. of Volumes: _____
Hearing Date(s): _____
- ☐ Personal Restraint Petition (PRP)
- ☐ Response to Personal Restraint Petition
- ☐ Reply to Response to Personal Restraint Petition
- ☐ Petition for Review (PRV)
- ☐ Other: _____

Comments:

This is a corrected Brief

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